

TRANSMITTAL FORM FOR FILING PATENT APPLICATION

Attorney Docket No. MIOPT-010XX

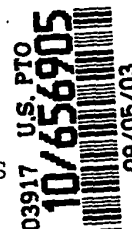
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Express Mail No: EV044747255US

Date: September 5, 2003

MAIL STOP PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

First Named Inventor or Application

Identifier: Mark B. Spitzer

Sir:

Transmitted herewith under 37 CFR § 1.53 for filing is the patent application of:

Inventors: Mark B. Spitzer, Gregory H. Hunter and Paul M. Zavracky

Entitled: BINOCULAR VIEWING SYSTEM

☐ This is a request for filing a ☐ continuation ☐ divisional
☐ continuation in-part application under §1.53(b) of prior Application
No. _____, filed _____, entitled:

Enclosed are:

☒ 41 pages of written description, claims and Abstract, inclusive☒ 33 sheets of ☒ informal ☐ formal drawings of Figs. 1 - 33 (one set)☒ Oath or Declaration☐ Newly executed (original or copy)☐ Copy from prior application (37 CFR 1.63(d)) (for continuation/divisional). The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.☒ Unexecuted - To be filed later☐ Cover sheet and Assignment of the invention to:
including a check in the amount of \$_____ for recordation fee.☐ Certified copy of a _____ application (if foreign priority is claimed) with letter claiming priority under Rule 55.☒ Information Disclosure Statement with 33 citations (6 references enclosed)☐ Preliminary amendment is enclosed.☒ Return receipt postcard☐ Small entity status is entitled to be, and hereby is, asserted for this application.

TRANSMITTAL FORM FOR FILING PATENT APPLICATION (CONTINUED)

- ☐ Other:
- ☐ Priority is claimed under 35 USC § 120 as indicated on the attached sheet 4.
- ☐ Priority is claimed under 35 USC §119(a)-(d) as indicated on the attached sheet 4.
- ☒ Priority is claimed under 35 USC §119 (e) as indicated on the attached sheet 4.
- ☐ _____ is hereby appointed Associate Attorney by:
Registration No.:

Attorney of Record:
Registration No.:

- ☐ Power of Attorney in the originally-filed application has been granted to one or more of the registered attorneys listed below. The attorneys listed below not previously granted power in the originally-filed application, as well as _____, are hereby given associate power:
Registration No.:

Stanley M. Schurgin, Reg. No. 20,979
Charles L. Gagnebin III, Reg. No. 25,467
Victor B. Lebovici, Reg. No. 30,864
Beverly E. Hjorth, Reg. No. 32,033

Holliday C. Heine, Reg. No. 34,346
Gordon R. Moriarty, Reg. No. 38,973
James F. Thompson, Reg. No. 36,699

- ☐ Cancel in this application original claims _____ of the prior application before calculating the filing fee.
- ☐ Add in this application claims _____ per amendment before calculating fee.

CLAIMS FILED:	MINUS BASE:	EXTRA CLAIMS:	RATE:	BASIC FEE:
				\$750.00
Independent	4 - 3	= 1	x \$84.00 =	\$84.00
Total	87 - 20	= 67	x \$18.00 =	\$1206.00
[X] Multiple Dependent Claims (1st presentation)			+ \$280.00 =	\$280.00
SUBTOTAL FILING FEE				\$2320.00
Small Entity filing, divide by 2. (Small Entity status must be asserted.)				N/A
TOTAL FILING FEE				2320.00

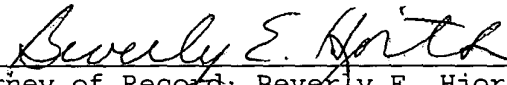
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TRANSMITTAL FOR FILING PATENT APPLICATION (CONTINUED)

- [] The filing fee has been calculated above; a check in the amount of \$_____ is enclosed.
- [X] The filing fee will be submitted at a later date.
- [X] In the event a Petition for Extension of Time under 37 CFR §1.17 is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.
- [X] The Commissioner is hereby authorized to charge payment of any additional filing fees under 37 CFR §1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.

[X] Customer Number 207

which is associated with the Law Firm of:
WEINGARTEN, SCHURGIN, GAGNEBIN & LEBOVICI LLP
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Boston, Massachusetts 02109
United States
Telephone: (617) 542-2290 Fax: (617) 451-0313



Attorney of Record: Beverly E. Hjorth
Registration No. 32,033

TRANSMITTAL FOR FILING PATENT APPLICATION (CONTINUED)

☐ Priority is claimed under 35 USC § 120 of prior Application(s)
No. _____ filed _____, entitled:

☐ The above-identified application(s) is/are assigned of record to:

☐ Priority is claimed under 35 USC § 119 (a)-(d) of the following
application(s).

_____ (Application Number)	_____ (Country)	_____ (Filing Date)
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_____ (Application Number)	_____ (Country)	_____ (Filing Date)
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_____ (Application Number)	_____ (Country)	_____ (Filing Date)
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☐ The above-identified application(s) is/are assigned of record to:

☒ Priority is claimed under 35 USC § 119 (e) of the following provisional
application(s).

60/465,441 _____ (Application Number)	April 25, 2003 _____ (Filing Date)
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_____ (Application Number)	_____ (Filing Date)
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_____ (Application Number)	_____ (Filing Date)
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☒ The above-identified provisional application(s) is/are assigned
of record to: THE MICROOPTICAL CORPORATION

SUBMIT IN TRIPLICATE

BEH/knr/291540-1